IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

Bail Appl..No. 6008 of 2007()

CRIME NO. 86/07 OF MALAMPUZHA POLICE STATION
CRMP.3321/2007 of DISTRICT COURT, PALAKKAD

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PETITIONERS/ACCUSED NO.1, 3 & 5

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1. JANARDHANAN, S/O. APPUKUTTAN,
AGED 33 YEARS, KADUKKAMKUNNU, PALAKKAD.

2. MOHANAN, S/O. KRISHNAN, AGED 35 YEARS,
KADUKKAMKUNNU, PALAKKAD.

3. JAYAN @ JAYAPRAKASH, AGED 31 YEARS,
S/O. GOVINDAN, KADUKKAMKUNNU, PALAKKAD.

BY ADV. SRI.N.RAGHURAJ

RESPONDENTS: COMPLAINANT

STATE OF KERALA - REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6008 of 2007

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Dated this the 4th day of October, 2007

O R D E R

Application for regular bail. Petitioners are accused, 1, 3 and 5. Altogether there are five accused persons. The petitioners face allegations in a crime registered for offences punishable, inter alia, under Sections 307 and 324 R/W. 149 I.P.C. The victim has suffered a fracture also, submits the learned Prosecutor. Political animosity is the alleged motive. There is a counter case also registered. Investigation is in progress. The alleged incident took place on 5.9.2007. The petitioners were arrested on 7.9.2007. They are sympathisers of C.P.M. and the victim allegedly belongs to B.J.P.

2. The learned counsel for the petitioners submits that the petitioners are innocent. Political animosity is prompting the alleged victim to make false allegations against the petitioners. In any view of the matter, the petitioners, who remain in custody from 7.9.2007, may now be enlarged on bail, prays the counsel.

3. The learned Prosecutor does not oppose the application, but prays that appropriate and strict conditions may be imposed in the interests of a proper investigation as also maintenance of law and

order situation in the locality. I am satisfied that the petitioners can be granted bail, subject to appropriate conditions.

4. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall execute bonds for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) They shall make themselves available for interrogation before the Investigating Officer on all Mondays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(c) Except for the purpose of complying with condition No.(b) above, the petitioners shall not enter the Sessions Division of Palghat, during the said period of three months, without the prior permission of the learned Magistrate.

(R. BASANT)
Judge

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